Docket No. 01662/54802 Serial No. 09/916,885

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS

SINGER et al.

SERIAL NO.

09/916,885

FILED

July 27, 2001

FOR

IMPROVED OXIDATION METHOD FOR THE

PREPARATION OF SULFONE FREE MODAFINIL

GROUP ART UNIT :

1765

EXAMINER

KUNEMUND, Robert

COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. 1.111

SIR:

In response to the Office Action dated September 10, 2003, Applicants hereby petition for a one month extension of time extending the period of response up to and January 12, 2004 (January 10, 2004 being a Saturday). Applicants submit the following amendments and remarks and respectfully request reconsideration of the present application.

12/24/2003 SDIRETAI 00000005 110600 09916885

01 FC:1251

110.00 DA

12/24/2003 SDIRETA1 00000005 110600 09916885

03 FC:1202

54.00 DA



BEST AVAILABLE COPY

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

Docket Number: 1662/54802

AMENDMENT, PETITION AND FEE TO CORRECT INVENTORSHIP UNDER-37 C.F.R. § 1.48(b)

Application Number Filing Date 09/916,885 July 27, 2001

Examiner Robert Kunemund Art Unit 1765

PRCENED TO 1700

Invention Title

IMPROVED OXIDATION METHOD FOR THE PREPARATION OF SULFONE FREE MODAFINIL Inventors

SINGER et al.

Address to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This amendment and petition under 37 C.F.R. § 1.48(b) is to delete the names of the following persons named as inventors, who are not inventors of the invention now being claimed.

Judith ARONHIME

Please charge the appropriate fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i) to the Deposit Account of Kenyon & Kenyon, Deposit Account No. 11-0600. Applicants hereby authorize that any additional charges or credits be charged to this account as well. A duplicate copy of this paper is attached.

Dated: 14/03

By:

Zeba Ali (Reg. No. 51,392)

KENYON & KENYON 1500 K Street, N.W., Suite 700 Washington, D.C. 20005-1257 (202)220-4200 (telephone)

(202) 220-4201 (facsimile)

CUSTOMER NUMBER 23838

12/24/2003 SDIRETAL 00000005 110500 09918805

02 FC:1450

130.00 DA

PTO/SB/17 (10.03)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(S)	29

	Complete if Known	MED
Application Number	09/916,885	0
Filing Date	July 27, 2001	DEC 31
First Named Inventor	SINGER ET AL.	TO 200
Examiner Name	R. Kunemund	1700
Art Unit	1765	- 00
Attorney Docket No	1662/54802	

METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)						
me mod or FATment (clieck all that appry)		3. ADDITIONAL FEES							
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None Order		Large Entity Small Entity							
☑ Deposit Account:		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid		
Deposit	11-0600		1051	130	2051	65	Surcharge - late filing fee or oath		
Account 11-0600 Number			1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		
Deposit		1053	130	1053	130	Non-English specification			
Account	KENYON & KENYON		1812	2,520	1812	2,520	For filing a request for reexamination		
Name The Director is authorized to: (check all that apply)			1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
☑ Charge fee(s) indicated below ☑ Credit any overpayments ☐ Charge any additional fee(s) during the pendency of this application			1805	1,840	1805	1,840*	Requesting publication of SIR after Examiner action		
	indicated below, except for the	ne filing fee	1251	110	2251	55	Extension for reply within first month	110	
to the above-identified deposit account. FEE CALCULATION			1252	420	2252	210	Extension for reply within second month		
1. BASIC F	ILING FEE		1253	950	2253	475	Extension for reply within third month		
Large Entity	Small Entity		1254	1,480	2254	740	Extension for reply within fourth		
	Fee Fee <u>Fee Descripti</u> Code (\$)	on Fee Paid	1255	2.010	2255	1,005	Extension for reply within fifth month		
	Code (\$) 2001 385 Utility filing fee		1401	330	2401	165	Notice of Appeal		
	2002 170 Design filing fe		1402	330	2402	165	Filing a brief in support of an appeal		
	2002 170 Design lining to		1403	290	2403	145	Request for oral hearing		
1004 770	2004 385 Reissue filing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1005 160	2005 80 Provisional filli	ng fee	1452	110	2452	55	Petition to revive – unavoidable		
SUBTOTAL (1) (\$) 0		1453	1,330	2453	665	Petition to revive – unintentional			
	00210172(1)		1501	1,330	2501	665	Utility issue fee (or reissue)		
2. EXTRA CLA	IM FEES FOR UTILITY A	ND REISSUE	1502	480	2502	240	Design issue fee		
	Extra	Fee from Fee	1503	640	2503	320	Plant issue fee		
Total Claims	-20 ** = 0 X	below Paid = 0	1460	130	1460	130	Petitions to the Commissioner	130	
Independent			1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		
Claims	-3 ** = 0 X	= 0	1806	180	1806	180	Submission of Information Disclosure Stmt		
Multiple Dependent Large Entity	X	= 0	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
Fee Fee Code (\$)	Fee Fee Fee Desc	ription	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	·	
1202 18	1 1	excess of 20	1810	770	2810	385	For each additional invention to be		
1201 86	2201 43 Independe	ent claims in excess of 3	l				examined (37 CFR § 1.129(b))		
1203 290	2203 145 Multiple d	ependent claim, if not paid	1801	770	2801	385	Request for Continued Examination (RCE)		
1204 86	2204 43 ** Reissue original pa	e independent claims over ttent	1802	900	1802	900	Request for expedited examination of a design application		
1205 18	2205 9 ** Reissue over origin	e claims in excess of 20 and nal patent	- I				54		
	Other fee (specify) 3 extra claims SUBTOTAL (2) (\$) 0								
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 294						4			
**or number previously paid, if greater; For Reissues, see above									

SUBMITTED BY Complete (if applicable) Registration No. 51,392 Telephone 202-220-4200 Name (Print/Type) (Attorney/Agent) December 19, 2003 Signature

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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